

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Case No.23-1829M(NJ)

information associated with a Facebook account (User ID 100075408277945, Username Norm Howard) that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a social networking company headquartered in Menlo Park, California.

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Eastern District of Wisconsin
(identify the person or describe the property to be searched and give its location):

Please see Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

Please see Attachment B.

YOU ARE COMMANDED to execute this warrant on or before 11/2/2023 *(not to exceed 14 days)*

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.


The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Nancy Joseph.
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of .

Date and time issued:10/19/2023 @ 11:22 a.m.

the later specific date of _____



Judge's signature

City and state: Milwaukee, WI

Honorable Nancy Joseph, U.S. Magistrate Judge
Printed name and title

Return		
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name(s) of any person(s) seized:		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <p>Date: _____</p> </div> <div style="width: 60%;"> <div style="text-align: center; margin-bottom: 10px;"> <p>_____</p> <p><i>Executing officer's signature</i></p> </div> <div style="text-align: center;"> <p>_____</p> <p><i>Printed name and title</i></p> </div> </div> </div>		

ATTACHMENT A

Property to Be Searched

This warrant applies to information between June 1, 2023, and the present date associated with the Facebook account:

USER	FACEBOOK IDENTIFICATION (UID)	FACEBOOK USERNAME
Norman Howard	100075408277945	“Norm Howard”

ATTACHMENT B

Particular Things to Be Seized

Information to be disclosed by Meta Platforms, Inc. (“Meta”)

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for each user ID listed in Attachment A:

- a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- b. All activity logs for the account and all other documents showing the user’s posts and other Facebook activities;
- c. All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them;
- d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications;

- e. All other records of communications and messages made or received by the user, including all encrypted or private messages, chat history, video calling history, and pending “Friend” requests;
- f. All “check ins” and other location information;
- g. All IP logs, including all records of the IP addresses that logged into the account;
- h. All records of the account’s usage of the “Like” feature, including all Facebook posts and all non-Facebook webpages and content that the user has “liked”;
- i. All information about the Facebook pages that the account is or was a “fan” of;
- j. All past and present lists of friends created by the account;
- k. All records of Facebook searches performed by the account;
- l. All audio messages sent by the account and messages received by the account;
- m. All video messages sent by the account and to the account;
- n. Any and all location data that is recorded by Facebook related to the account
- o. All information about the user’s access and use of Facebook Marketplace;
- p. The types of service utilized by the user;
- q. The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- r. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- s. All records pertaining to communications between Facebook and any person regarding the user or the user’s Facebook account, including contacts with support services and records of actions taken.

Information to be seized by the government

All information described above that constitutes fruits, evidence and instrumentalities of violations of Title 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Convicted Felon, since June 1, 2023, to the present, including, for the user ID identified on Attachment A, information pertaining to the following matters:

- a. Messages, correspondence, documents, photographs, videos, recordings, and records pertaining to the possession, purchase, use, trafficking, and sales of firearms; and/or
- b. Messages, correspondence, documents, photographs, videos, recordings, and records pertaining to the identity and location of the account user(s).

UNITED STATES DISTRICT COURT

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information associated with a Facebook account (User ID
100075408277945, Username Norm Howard) that is stored at premises
owned, maintained, controlled, or operated by Meta Platforms, Inc., a
social networking company headquartered in Menlo Park, California.

Case No.23-1829M(NJ)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Please see Attachment A.

located in the _____ Eastern _____ District of _____ Wisconsin _____, there is now concealed (identify the person or describe the property to be seized):

Please see Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 922(g)(1)	Possession of a Firearm by a Convicted Felon

The application is based on these facts:

Please see attached Affidavit.

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

KATHERINE STEWART (Affiliate) Digitally signed by KATHERINE STEWART (Affiliate)
Date: 2023.10.18 10:44:08 -05'00'

Applicant's signature

Katherine Stewart, Task Force Officer, ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

TELEPHONE

(specify reliable electronic means).

Date: 10/19/2023

City and state: Milwaukee, WI

Honorable Nancy Joseph, U.S. Magistrate Judge

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Katherine Stewart, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a Facebook account that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc. (“Meta”), a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Meta to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user ID.

2. I am a Federally Deputized Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been since February 2022. In addition to being a TFO with the ATF, I have been a Law Enforcement Officer for Milwaukee Police Department since December 2016. As an ATF TFO, I have been involved in numerous investigations involving violations of federal and state laws including violations of 18 U.S.C. § 922(g)(1), felon in possession of a firearm, 18 U.S.C. § 924(c), possession of a firearm in furtherance of a federal drug trafficking crime, and 21 U.S.C. §§ 841(a)(1) and 846, distributing and conspiracy to distribute a controlled substance.

3. I have had a variety of formal, informal, and on the job training in the investigation of illegal firearms possession and firearms trafficking. In addition, I have participated in the execution of search warrants in which firearms, ammunition, and controlled substances were seized in violation of state and federal laws. Additionally, I am familiar with

street name(s) of firearms, controlled substances, and respective related topics, as well as has knowledge of the use of money laundering to conceal ill-gotten money.

4. During the course of my law enforcement career, I have had trainings regarding the use of social media in relation to criminal investigations. Specifically, I have received instruction regarding the use of social media sites by criminal elements. Additionally, I have conducted previous criminal investigations in which internet research that I conducted yielded the use of social media by suspects. Specifically, I know from my training and experience that alleged suspects of criminal activity, who have accounts on social media websites, will often communicate their criminal intentions or past activity via “instant message” or “in-box message” on a given social media website. The “instant message” / “in-box message” is a private communication from one user to another. Furthermore, I know through experience that many social media users often use social media websites as their primary means to communicate with others. Additionally, I know from training and experience that suspects who use social media websites sometimes post photographs of themselves possessing incriminating items, such as large amounts of cash, narcotics, and firearms. Also, suspects in criminal investigations have been known to post statements on social websites referencing their own criminal activity.

5. Information contained in this affidavit was either obtained directly by me or by other investigators who I believe to be truthful and credible. The facts in this affidavit come from personal observations, training and experience, and information obtained from other investigators and witnesses.

6. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

7. This affidavit is made in support of an application for a warrant to search the Facebook account, as further described in Attachment A. The search will be for evidence

associated with violations of Title 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Convicted Felon, as well as other related evidence of criminal wrongdoing by Norman M. HOWARD (DOB XX/XX/1997), and/or any other known or unknown co-conspirators.

IDENTIFICATION OF ACCOUNT TO BE SEARCHED

8. I seek authorization to search the following Facebook account:

USER	FACEBOOK IDENTIFICATION (UID)	FACEBOOK USERNAME
Norman Howard	100075408277945	“Norm Howard”

PROBABLE CAUSE

9. On or about May 19, 2016, Norman HOWARD was convicted in the Eastern District of Wisconsin (Case No. 15-CR-173), of one count of Attempted Motor Vehicle Robbery and one count of Motor Vehicle Robbery, in violation of Title 18, United States Code, Sections 2119(1) and 2. He was sentenced to 90 months’ imprisonment, followed by three years on federal supervised release, which began on November 25, 2022.

10. While on federal supervised release, HOWARD has been the suspect in several “Subject with Gun” calls for service with the Milwaukee Police Department. Some of those contacts have led to his arrest.

11. On July 5, 2023, at approximately 5:04 p.m., while on patrol, Milwaukee Police Department Police Officers Craig Ziarnik and LaCarlin Davis were dispatched to 23XX North 15th Street, lower unit, in Milwaukee, Wisconsin, to investigate a subject with gun complaint.

12. Upon arrival, Officer Davis interviewed the caller/victim, identified herein by the initials D.J., on the front porch of the residence. Officer Ziarnik went inside the residence to interview the male subject who identified himself as Norman HOWARD (DOB XX/XX/1997).

13. D.J. reported that on July 5, 2023, at approximately 5:00 PM, inside the bedroom at 23XX North 15th Street, HOWARD struck D.J. multiple times to her face and head, causing pain and injury to her head and causing minor swelling to the right side of her forehead. HOWARD then grabbed D.J. by her neck and slammed her onto the bed which caused her pain but did not impede her breathing. HOWARD and D.J. have been living together for over five months and are in an intimate relationship.

14. D.J. stated that the day prior, July 4, 2023, at approximately 4:30 p.m., she observed HOWARD in possession of her gun, a gray and black Taurus G2c 9mm handgun, bearing serial #9EB066054, while inside the bedroom of 23XX North 15th Street. D.J. stated while HOWARD was still inside the bedroom, he placed the Taurus handgun into his waistband before they left the location in an UBER. D.J. stated that HOWARD was the last person who she knew to have her gun and, during the interview with police on July 5, 2023, she stated she was unable to locate her handgun.

15. HOWARD is not only convicted of the federal felonies detailed above, but he was also convicted of a felony in Lincoln County Case Number 2014CF000096 and is prohibited from possessing a firearm. HOWARD was arrested on scene and conveyed to District 3 for processing.

16. Officer Davis requested consent from D.J. to search her residence for her missing firearm and D.J. did not give consent to search her residence. Instead, officers obtained a search warrant to search the residence.

17. During a search of the residence, officers recovered a black Taurus G2c 9mm handgun, bearing serial #9EB066054 from a kitchen closet. The firearm was inside of a backpack in the closet. Initially, when officers entered the kitchen, a table was in front of the closet and officers had to move the table to open the closet. In addition, ammunition, a gun

holster, and a loaded magazine, all inside another backpack, were located inside a bedroom closet. Multiple identifiers for Howard A. NORMAN were located inside a manila envelope on top of a bedroom nightstand in the bedroom closet.

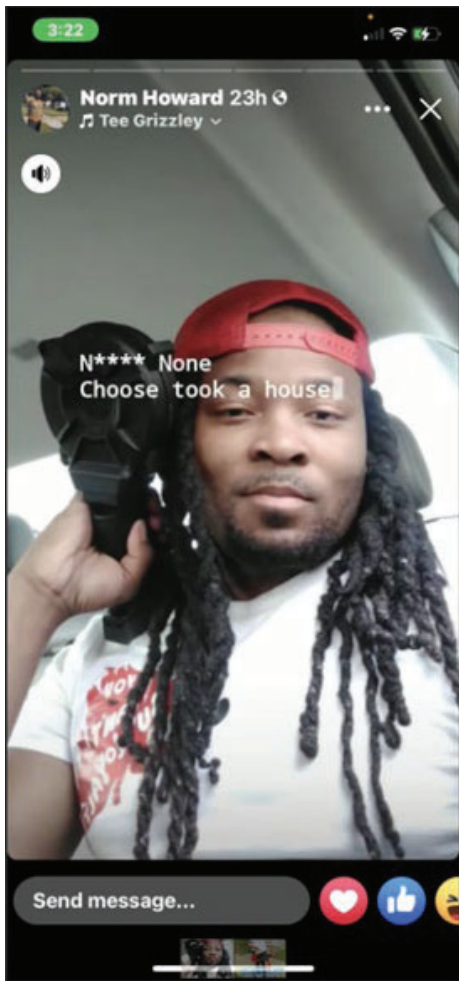
18. On August 25, 2023, at approximately 10:26 p.m., Officer Mitchell Glidewell and Officer Spankowski were dispatched to a Subject with Gun Complaint at 23XX North 15th Street, in Milwaukee, Wisconsin.

19. Upon arrival, Officer Spankowski spoke with the caller, D.J., who stated that the suspect, who D.J. identified as Norman M HOWARD (DOB XX/XX/1997), had arrived at her residence to pick up property that was still present at this location after HOWARD had moved out. D.J. stated that HOWARD had arrived unannounced to her residence to pick up his property, and that she had his property waiting near the front door of the residence so that HOWARD did not need to enter the residence in order to obtain it. D.J. stated that HOWARD still entered the residence and refused to leave upon her request. D.J. further observed HOWARD to be armed with a black Glock-style handgun, which was tucked into his front right pants pocket. D.J. stated that HOWARD did not remove the handgun from his pocket throughout the interaction, but that he knows he is not allowed to possess a firearm due to him being a convicted felon, and that he is currently on federal probation. D.J. also stated that she has been in contact with HOWARD's federal probation agent, and that HOWARD is not allowed to be present at her residence after 9:30 p.m. as a condition of his federal supervised release. D.J. stated that upon officers' arrival at her residence, she observed HOWARD flee from the front of the residence towards the back of the residence.

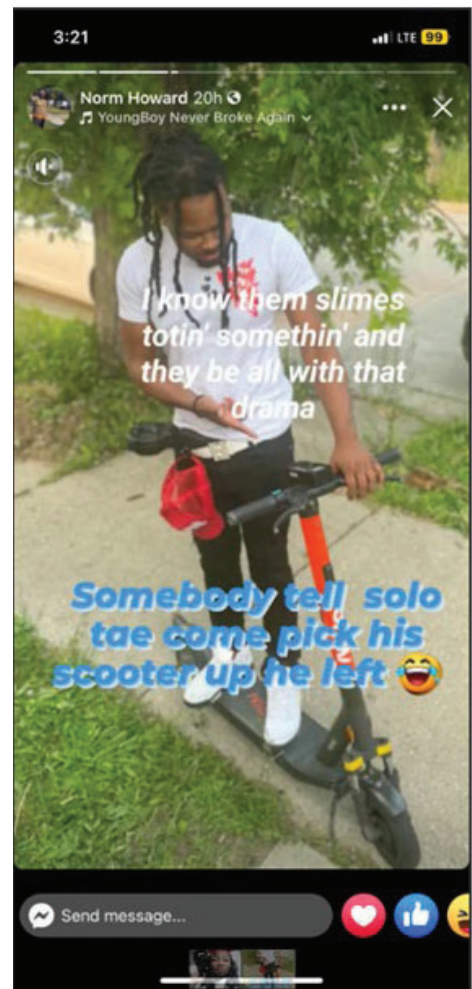
20. Officer Spankowski later spoke with another subject, hereinafter referred to by initials N.R., who stated that she had also observed HOWARD to be armed with a black Glock-style handgun that had been tucked in his front right pants pocket.

21. On July 17, 2023, Federal Probation Agent Kristina Meuer was contacted by an anonymous source (this individual feared for her safety and did not provide their name). This anonymous source stated that they recently had an altercation with HOWARD's girlfriend and HOWARD and four other individuals came to their house all carrying guns, pointing said guns, and making threats. This anonymous source took still photographs from HOWARD's Facebook page, with username "Norm Howard", on July 16, 2023, and sent those images to Agent Meuer; however, these images have since been removed from HOWARD's Facebook page. Agent Meuer recognized the individual in the Facebook pictures as HOWARD. In the photos, HOWARD appears to be holding and in possession of a firearm with a large-capacity drum magazine.

22. Some of the photos that Agent Meuer received and reviewed are below:



(Figure 1)



(Figure 2)

23. Agent Meuer spoke with HOWARD regarding the suspected firearm possession and the photographs she had received. HOWARD replied that it was a fake gun that shot “Orbeez” and he claimed that he was playing with his kids.

24. On August 25, 2023, at approximately 11:07 p.m., the same day that law enforcement responded to one of the “Subject with Gun” complaints regarding HOWARD, Agent Meuer received via text message a video and multiple screen shots from the video. The video appeared to have been posted onto the Facebook page for “Norm Howard” and showed a Glock-style firearm on the lap of an individual, alongside a blue hat that read “Alonestarz” on it. One of the screen shots from the video sent to Agent Meuer is below:



(Figure 4)

25. Although it is not clear who is in possession of the Glock-style firearm in the video, one of the Profile Photos from the “Norm Howard” Facebook account is below and appears to be a photo of Norman HOWARD wearing the same or similar hat as the one in the video.



(Figure 5)

26. On September 21, 2023, officers arrested HOWARD at 23XX North 15th Street, after D.J. called police. HOWARD is currently detained in federal custody and is facing

revocation proceedings in EDWI Case Number 15-CR-173.

27. Affiant viewed a color booking photograph taken of HOWARD on September 21, 2023, and confirmed it to be the same individual in the Facebook photos on the “Norm Howard” Facebook page shown above.

Milwaukee Police Department Booking Photo of HOWARD taken 9/21/23



(Figure 3)

28. That affiant has found it incredibly common for crime suspects to often take or cause to be taken photographs and other visual depictions of themselves, their associates, and the firearms that they control, possess, buy and sell; furthermore, that these photographs and visual depictions are typically kept and maintained on their cellular devices, and often uploaded to or sent via an electronic message to other social media users; that affiant has also found it incredibly common for crime suspects to use social media to communicate aurally or via electronic message in “text” format with individuals whom they purchase, trade, or otherwise negotiate to obtain firearms. That affiant is aware that Norman HOWARD is believed to have possessed a firearm in the photographs described previously, and the firearm recovered on July

5, 2023, and that an analysis of the social media records requested by affiant could help further establish the before, during, and after of the circumstances surrounding the posting of the photographs.

FACEBOOK INFORMATION

29. Meta owns and operates Facebook, a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook users can then use their accounts to share communications, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

30. Meta asks Facebook users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

31. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

32. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

33. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

34. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook’s purposes, the photos and videos associated with a

user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

35. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

36. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

37. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

38. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

39. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through

the account, such as “liking” a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user’s Facebook page.

40. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs (“blogs”), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

41. The Facebook Gifts feature allows users to send virtual “gifts” to their friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other “pokes,” which are free and simply result in a notification to the recipient that he or she has been “poked” by the sender.

42. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

43. In addition to the applications described above, Meta provides users with access to thousands of other applications (“apps”) on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user’s access or use of that application may appear on the user’s profile page.

44. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term “Group Contact Info” to describe the contact information for the group’s creator and/or administrator, as well as a PDF of the current status of the group profile page.

45. Facebook uses the term “Neoprint” to describe an expanded view of a given user profile. The “Neoprint” for a given user can include the following information from the user’s profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications.

46. Meta also retains Internet Protocol (“IP”) logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user’s IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

47. Social networking providers like Meta typically retain additional information about their users’ accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Meta typically retain records about such communications, including records of contacts between the user and the provider’s support services, as well as records of any actions taken by the provider or user as a result of the communications.

48. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user’s “Neoprint,” IP log, stored electronic communications, and other data retained by Meta, can indicate who has used or controlled the Facebook account. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Meta logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Meta builds geo-location into some of its services. Geo-location allows, for example, users to “tag” their location in posts and Facebook “friends” to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner’s state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner’s motive and intent to commit a crime (e.g., information indicating a plan to commit a

crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

49. Therefore, the computers of Meta are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

INFORMATION TO BE SEARCHED AND ITEMS TO BE SEIZED

50. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

51. Based on the forgoing, I request that the Court issue the proposed search warrant. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court of the Eastern District of Wisconsin is a district court of the United States that has jurisdiction over the offenses being investigated, 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

ATTACHMENT A

Property to Be Searched

This warrant applies to information between June 1, 2023, and the present date associated with the Facebook account:

USER	FACEBOOK IDENTIFICATION (UID)	FACEBOOK USERNAME
Norman Howard	100075408277945	“Norm Howard”

ATTACHMENT B

Particular Things to Be Seized

Information to be disclosed by Meta Platforms, Inc. (“Meta”)

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for each user ID listed in Attachment A:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

b. All activity logs for the account and all other documents showing the user’s posts and other Facebook activities;

c. All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them;

d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications;

- e. All other records of communications and messages made or received by the user, including all encrypted or private messages, chat history, video calling history, and pending “Friend” requests;
- f. All “check ins” and other location information;
- g. All IP logs, including all records of the IP addresses that logged into the account;
- h. All records of the account’s usage of the “Like” feature, including all Facebook posts and all non-Facebook webpages and content that the user has “liked”;
- i. All information about the Facebook pages that the account is or was a “fan” of;
- j. All past and present lists of friends created by the account;
- k. All records of Facebook searches performed by the account;
- l. All audio messages sent by the account and messages received by the account;
- m. All video messages sent by the account and to the account;
- n. Any and all location data that is recorded by Facebook related to the account
- o. All information about the user’s access and use of Facebook Marketplace;
- p. The types of service utilized by the user;
- q. The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- r. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- s. All records pertaining to communications between Facebook and any person regarding the user or the user’s Facebook account, including contacts with support services and records of actions taken.

Information to be seized by the government

All information described above that constitutes fruits, evidence and instrumentalities of violations of Title 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Convicted Felon, since June 1, 2023, to the present, including, for the user ID identified on Attachment A, information pertaining to the following matters:

- a. Messages, correspondence, documents, photographs, videos, recordings, and records pertaining to the possession, purchase, use, trafficking, and sales of firearms; and/or
- b. Messages, correspondence, documents, photographs, videos, recordings, and records pertaining to the identity and location of the account user(s).